

Physical Medicine & Rehabilitation (PM&R)
 Minneapolis Veterans Affairs Health Care System (MVAHCS)
 Minneapolis, MN

SUBJECT: Ethics Charter

PURPOSE

To summarize principals which shall govern ethical behavior regarding treatment of persons served by MVAHCS PM&R.

POLICY STATEMENT

MVAHCS PM&R will develop policies, patient care practices, and procedures that will reflect the interdisciplinary team's respect for the worth and dignity of the persons served. Each patient's right to self-determination will be respected. This is operationalized by involving patients and their family members, whenever possible, in the identification of treatment goals and the subsequent development of patient centered treatment plans. As rehabilitation professionals, we are committed to promoting the welfare of our patients and preventing harm. Given the long-term financial implications of disability, we will accept our role in the prudent use of scarce resources.

We will carry out our responsibilities in accordance with:

- the Minnesota and MVAHCS Patient Bills of Rights.
- MVAHCS policies related to the Patient Bill of Rights.
- the ethical guidelines set forth by our professional organizations.
- the standards of the organizations that accredit our programs.

GUIDING PROFESSIONAL ETHICAL PRINCIPLES

1. **Policies, procedures, individual programs will be guided by ethical principals and professional beliefs.**
2. **Patient decision making capacity is decision specific and variable as to time and place. It is not globally defined by a person's clinical status or diagnosis alone; rather it involves several functional components:**
 - a. Can the patient make and express choices?
 - b. Can the patient provide reasons for her/his choices?
 - c. Are these reasons grounded in fact and reality?
 - d. Is the patient able to understand and appreciate the implications and consequences of his choices?
 - e. Does the patient in fact understand and appreciate the implications and consequences of her/his choices?
 - f. Clinical evaluations through testing and observation of functional daily skills are part of this assessment of capacity.
3. **Personal conduct will be guided by ethical principals which promote respect and protection for the patient and their support system:**
 - a. Employees will respect professional boundaries in their interactions with patients, former patients, and their support systems.
 - b. Employees will not accept gifts from patients, families, or vendors except as allowed by VHA guidelines.

GUIDING MEDICAL ETHICAL PRINCIPLES

1. Patient care is guided primarily by the patient's wishes.

- a. The ethical principal of autonomy is defined as a patient's right to determine her/his actions despite how foolish those actions seem to others as long as the actions do not cause harm to self or others; this is the principle that demands that patients are fully informed before they make a decision, thus their autonomy is enhanced and protected; rehab patient will often have varying decision making capacity, staff will need to assess decisions based upon the quality of endurance of their stated wishes over time.
- b. We honor the patient's right to autonomy by:
 - i. respecting and implementing the decision of the patient with decision making capacity.
 - ii. respecting and implementing the decision of an appropriate proxy who is representing either the patient's wishes via the ethical standard of substituted judgment or best interest when substituted judgment information is unavailable.
 - iii. encouraging and supporting the patient to exercise cultural or spiritual beliefs that do not result in harm to self or others.
 - iv. realistically and confidentially discussing prognosis with patients and families at the appropriate time so they are guided into practical expectations.
 - v. ascertaining if a patient has an advance directive and assisting with development if the patient so wishes; if the patient is incompetent, aiding the appropriate family or proxy to discuss advance directive issues.
 - vi. researching and providing correct, current data when patients and families have gathered incorrect information from the media and other sources.
 - vii. providing a Patient Bill of Rights and information regarding the complaint process at admission.

2. Health care professionals have a professional obligation to act beneficently.

- a. The ethical principle of beneficence is defined as producing benefits or good outcomes for patients; taking actions that promote the well being of others; the professional should always identify and balance benefits and risks/harms when recommending treatment.
- b. We act beneficently by:
 - i. providing the highest possible quality of care to each patient
 - ii. soliciting and expecting input from patients and families regarding goals and the patient's treatment plan
 - iii. including, in discussions with patients and families, what they are expected to do to assist their rehab program
 - iv. providing an environment of reasonable visual and auditory privacy when interviewing, examining, and treating patients

3. Health care professionals have an ethical duty to prevent harm to their patients.

- a. The ethical principal of nonmalificence requires that professionals act to prevent harm to the patient; the professional should always balance benefits and harm/risks when helping a patient to make an informed decision or when deciding for an incapacitated patient.
- b. We attempt to prevent harm by:
 - i. providing information to only those involved in the patient's care or have permission or legal right to the information.
 - ii. expressing our assessments of the patient's functional ability to participate in specific tasks and decision making, in an attempt to educate the patient and family.
 - iii. reporting when necessary, our patients or their family's members as vulnerable adults or children, according to state statutes and MVHCS policy.
 - iv. evaluating every treatment recommended using a benefit/burden ratio.

4. Health care professionals have a duty to act justly toward individual patients and perform as a steward for the community good whenever possible.

- a. The ethical principle of justice requires that we assist with the fair distribution of scarce health care resources in our communities.
- b. We attempt to act justly by:
 - i. assessing patients equally, without discrimination related to cultural, gender, or age factors, etc.
 - ii. attempting to conserve scarce health care resources by carefully assessing, ordering, and providing care in our institution.

- iii. attempting to assist community agencies to conserve scarce resources by providing only necessary treatment.
- iv. striving to provide equal treatment to patients based upon their individual needs.
- v. providing accurate and truthful information in all marketing materials and information provided to veteran's, families, referral sources and purchasers of service.

RESCISSIONS: PM&R Ethics Charter, July 2008

REFERENCES: Statement of organizational Ethics, Minneapolis VAMC Policy # RI-11C, April 1, 2006.

FOLLOW-UP RESPONSIBILITY: PM&R Medical Director